An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Roscommon County

Planning Authority Reference Number: DED 176

An Bord Pleanála Reference Number: 20.RL.3433

WHEREAS a question has arisen as to whether works consisting of re-roofing with overhang over the public road at Derreenasoo, Leitrim, Carrick-on-Shannon, County Roscommon is or id not development or is or is not exempted development:

AND WHEREAS Annette McGuinness of Dereenasoo, Leitrim, Carrickon=Shannon, County Roscommon requested a declaration on the said question from Roscommon County Council and the said Council issued a declaration on the 22nd day of October, 2015 stating that the said matter does constitute development and is exempted development:

AND WHEREAS the said Annette McGuinness referred the declaration for review to An Bord Pleanála on the 16th day of November, 2015:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) section 2, 3, 4 and 5 of the Planning and Development Act, 2000, as amended.
- (b) section 4(1)(h) of the Planning and Development Acts, and
- (c) the submissions and documents including photographic submissions on file

AND WHEREAS the Board has concluded that -

- (a) works consisting of re-roofing in particular the overhang over the public road constitute the carrying out of works which come within the meaning of development as defined in section 3(1) of the Planning and Development Act 2000, and
- (b) having regard to the character and nature of the replacement roof which does not differ in material terms from the previous roof, the works consisting of re-roofing constitute development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures, and, therefore, come within the scope of section 4(1)(h) of the Planning and Development Act, 2000.

NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 of the Planning and Development Act, 2000, hereby decides that works consisting of re-roofing with overhang over the public road at Derreenasoo, Leitrim, Carrick-on-Shannon, County Roscommon is development and is exempted development.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Member of An Bord Pleanála duly authorised to authenticate the seal of the Board.

Dated this day of 2016.

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